

EPA testimony

May 08, 2017

Good afternoon, My name is Ex. 6 Personal Privacy (PP) and I've been a homeowner in Rapid City for the past 11 years.

I oppose ISL uranium mining in Custer and Fall River counties because I am very concerned about contamination of our groundwater. This area is prone to drought, so water conservation is a priority. South Dakota's two largest industries, agriculture and tourism, depend on adequate supplies of clean water.

The United States Geological Survey also known as USGS has found that no ISL uranium mining operation has been able to return water quality to pre-mining cleanliness. The U.S. Nuclear Regulatory Commission has been quoted saying that "the restoration of an ISL-mined aquifer to pre-mining water quality is ... an impossibility.

There are a number of factors that indicate a mine in the Dewey-Burdock area would likely result in contaminated groundwater.

There are old uranium mines in the Dewey-Burdock area that are not fully reclaimed, enhancing the risk of groundwater water contamination.

It will be impossible to have adequate oversight of the quality of liquid wastes pumped into the Minnelusa formation through the proposed deep disposal wells, resulting in likely groundwater contamination.

The proposed mine and deep disposal wells are in an area that is documented to have faults, fractures, breccia pipes. In addition, over 7,000 old boreholes have not been properly plugged in the proposed project area. It will be impossible to contain mining fluids or waste liquids and contamination of our groundwater is very likely.

I urge you not to exempt a portion of the Inyan Kara aquifer from the Safe Drinking Water Act. The Inyan Kara is used by many people and livestock and given the aforementioned risk factors, water contamination is likely. I've heard that the Minnelusa aquifer contains 125 drinking water wells – please verify with the South Dakota Department of Environment and Natural Resources.

With uranium mining we need to keep in mind that fact that the half-life of uranium is 4.5 billion years. Yes, that is billion with a B as in boy.

Untold numbers of people living now and those yet to be born could be affected.

As you are probably aware, in the 2011 legislature, SD gave up its statutory authority to oversee wastewater aquifer injection in ISL uranium mines at the urging of Powertech now Azarga Uranium. Other types of mining in South Dakota such as gold, oil/gas are regulated much more thoroughly than ISL uranium mining.

If a petition for review of the new permits is filed, the new permits are not in effect pending final agency action. If a petition for review of the permit modifications is filed, the permit conditions subject to the modification would be deemed not to be in effect pending a final agency action.

Within a reasonable time of receipt of the petition for review, the EAB will either grant or deny the appeal. The EAB will decide the appeal on the basis of the written briefs and the total administrative record of the permit actions. If the EAB denies the petition, EPA will notify the petitioner of the final permit decisions. The petitioner may, thereafter, challenge the permit decisions in Federal Court.

If the EAB grants the appeal, it may direct the Region III office to implement its decision by permit issuance, modification or denial. The EAB may order all or part of the permit decisions back to the EPA Region III office for reconsideration.

In either case, a final agency decision has occurred when a permit is issued, modified or denied and that decision is announced. After this time, all administrative appeals have been exhausted, and any further challenges to the permit decision must be made to Federal Court.